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No. 338.

3rd Session, 5th Parliament, 20 Victoria, 1857,

BILL.

An Act to amend the School Laws of
Lower Canada.

Received and read first time, Friday, 8th
May, 1857.

Second reading, Tuesday, 12th May, 1857.

Hon. Mr. Atty. Genl. CARTIER.

S. Derbishire & G. Desbarats, Queen's Printer.

An Act to amend the School Laws of Lower Canada.

WHEREAS it is expedient to amend the School Laws of Lower Canada, in the manner hereinafter mentioned : Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

Preamble.

I. So much of the School Act passed in the ninth year of Her Majesty's Reign, and chaptered seventy-eight, as authorizes the School Commissioners of the School Municipalities of Hochelaga, Côte Visitation, Côteau St. Louis, Côte des Neiges, Village St. Henri and Côteau St. Pierre, in the Island of Montreal, to levy annually a school-rate equal to three times the amount of their respective shares of the Provincial Educational Grant, is hereby repealed ; And they shall henceforth, respectively, have power to levy such annual rate on the assessed value of the real property within the limits of their School Municipality as they may see fit.

School Municipalities mentioned in 9 V. c. 78, not to be limited as to amount of School rates.

II. Whenever any rate for the purposes of education shall have been imposed in any year in any School Municipality in Lower Canada, after the time prescribed by law, the same may be confirmed by an order of the Governor in Council, and being so confirmed shall have then full force and effect as if made within the time prescribed by law ; except, however, that the Governor in Council may, by any such order, withhold the share of the Provincial grant coming to such Municipality for the year, and this enactment shall apply to rates already imposed ; Provided always, that no judgment given by any Court of Justice shall be thereby in any way invalidated or affected.

School rates imposed after the time fixed by law may be confirmed by Governor in Council.

Proviso.

III. So much of the twenty-first section of the School Act passed in the ninth year of Her Majesty's Reign, and chaptered twenty-seven, as limits the amount to be levied for the building or repairing of school houses, is hereby repealed ; Provided always that on appeal to the Superintendent of Schools in the manner provided by law, the amount may, if considered by him excessive, be moderated and reduced.

Provision limiting rate for School houses, repealed.

Proviso.

IV. It shall be lawful for any School Commissioners to entrust the levying and collecting of the annual rate on assessable property for the support of the Schools, to the local Municipal Council, whenever the local municipality shall have the same limits as the school municipality ; and if such local Municipal Council agree to collect and levy the same, the collecting and levying thereof shall be proceeded with in the same

School Commissioners may employ local Municipal Authorities to collect School rates in certain cases.

Proviso. manner and form as provided for for all other municipal taxes ;
 Provided that if such Municipal Council, after having agreed
 to levy such school rates, shall neglect to do so, the members
 thereof shall be liable to the same penalties as are imposed by
 law on School Commissioners for the like neglect. 5

Provisions for assessing real property not entered on the valuation Roll. V. That whenever any land or other real property shall have been omitted in the valuation roll, or whenever any Seignorial or Crown land shall have been conceded or sold, or in any other way any new real property shall have become assessable for the purposes of the School laws, after the making of the valuation roll in any School municipality, the School Commissioners shall cause such real property to be valued in the manner provided for as regards the making of a valuation roll, and shall inscribe it on the valuation roll and on the assessment roll, and shall give the like notices as are required in the case of a new valuation roll, and the School rates shall be collected and levied from the proprietor or occupant of such real property in the ordinary manner.

Act limited to L. C. VI. This Act shall apply only to Lower Canada.